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MINISTRY OF EXTERNAL AFFAIRS.

NOTIFICATION

New Delhi, the 2nd July 1959

THE STATE OF PONDICHERRY (REPRESENTATION OF THE PEOPLE)
AMENDMENT ORDER, 1959

S.O. 1524.—In exercise of the powers conferred by sections 3 and 4 of the Foreign Jurisdiction Act, 1947 (47 of 1947), and of all other powers enabling it in this behalf, the Central Government hereby makes the following Order, namely:—

1. (1) This Order may be called the State of Pondicherry (Representation of the People) Amendment Order, 1959.

(2) It shall come into force at once.

2. In sub-paragraph (1) of paragraph 63 of the State of Pondicherry (Representation of the People) Order, 1955 (hereinafter referred to as "the Order"),—

(1) for clause (v), the following shall be *substituted*, namely:—

"(v) On each ballot box being opened for counting, the ballot papers shall be taken out of the box and arranged in convenient bundles and, after all the valid votes recorded on the ballot papers have been counted with the aid of persons appointed to assist in the counting of votes, an account of the votes recorded in favour of each candidate shall be prepared in a suitable manner";

(2) for clause (vii), the following shall be *substituted*, namely:—

"(vii) After the counting of all the valid votes recorded on ballot papers contained in each ballot box has been completed by the Returning Officer and an account of such votes has been prepared, the Returning Officer shall cause the ballot papers taken out of each box to be kept in a separate packet on which shall be indicated such particulars as will identify the ballot box in which the ballot papers were found, the names of the candidates and the name of the polling station and the number of the polling booth, if any, where such ballot box was used.";

(3) for the last sentence of clause (viii), the following shall be *substituted*, namely:—

"He shall also cause all ballot papers rejected by him to be kept in a separate sealed packet."

3. In Schedule II to the Order,—

(1) in clause 2,—

(a) for sub-clause (1), the following shall be *substituted*, namely:—

"(1) Each polling station shall be furnished with a compartment (hereafter in this Order referred to as a "marking compartment") in which the electors can, one after another, enter and mark the ballot

paper screened from observation. No elector shall be allowed to enter such compartment when another elector is inside the same for the purpose of marking the ballot paper.”;

(b) in sub-clause (4), for the words “polling compartment”, the words “marking compartment” shall be substituted; and

(c) for sub-clause (5), the following shall be substituted, namely:—

“(5) The Presiding Officer may permit an elector to enter the marking compartment with a child in arms.”;

(2) for the heading and sub-clauses (1) and (2) of clause 3, the following shall be substituted, namely:—

“3. Provision of ballot boxes and other articles at the polling station.—(1)

The Returning Officer shall provide at each polling station one ballot box and as many spare boxes as he considers necessary.

(2) Each ballot paper shall contain in parallel columns the following particulars:—

(a) the names of the contesting candidates in the order in which they appear in the list of validly nominated candidates;

(b) the names of the parties to which they belong; and

(c) the symbols allotted to them.”;

(3) in clause 5,—

(a) for sub-clause (2), the following shall be substituted, namely:—

“(2) The Presiding Officer of each polling station shall, immediately before the commencement of the poll, allow inspection of each ballot box to be used at the poll to the candidates and their polling agents who may be present at such station and demonstrate to them and all other persons present that it is empty.”;

(b) for sub-clause (5), the following shall be substituted, namely:—

“(5) After the ballot box required to be used at the polling station has been secured and sealed, it shall be placed on the table in front of the Presiding Officer.”; and

(c) sub-clause (6) shall be omitted;

(4) in clause 9,—

(a) for sub-clauses (1) and (2), the following shall be substituted, namely:—

“(1) On receiving the ballot paper, the elector shall forthwith proceed into the marking compartment and shall, without undue delay, mark the ballot paper by putting the seal provided by the Presiding Officer over the symbol of the candidate for whom he wants to vote and then fold the ballot paper in such a manner that the mark will not be visible to any other person and come out of the compartment and then put the ballot paper through the slit provided for the purpose into the ballot box placed in front of the Presiding Officer.

“(2) Every elector shall vote without undue delay and shall quit the polling station as soon as he has cast his vote; and no elector shall remain in the marking compartment longer than is necessary for marking the ballot paper. The Presiding Officer may take such steps as he may consider necessary to ensure the smooth and prompt progress of the poll.”; and

(b) sub-clauses (3) and (4) shall be omitted;

(5) for clause 10, the following shall be substituted, namely:—

“10. Recording of votes of infirm electors.—If owing to blindness or other infirmity an elector is unable to read the symbol of a candidate in the ballot paper or is physically incapable of marking the ballot paper and putting it into the ballot box, the Presiding Officer shall enter the marking compartment with such elector, ascertain from him the candidate in whose favour he desires to cast the vote, mark the ballot paper for that candidate in the manner provided in sub-clause (1) of clause 9, fold it so as to make the mark invisible

to any other person and then put the ballot paper through the slit provided for that purpose in the ballot box. The Presiding Officer shall have this done with as much secrecy as is feasible and shall keep a brief record of such instance without indicating the manner in which the vote has been cast.”;

- (6) in sub-clause (2) of clause 12, for the words “polling compartment”, the words “marking compartment” shall be *substituted*.

[No. F. 48(3)-Eur(W)58.]

S. SEN, Jt. Secy.

